Case 1:09-cv-06517-SAS Document 12 Filed 09/29/09 Page 1 of 2

USDC SDNY DOCUMENT

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YOR

U.S. BANCORP EQUIPMENT FINANCE, INC.,

Case No. 09-CV-6517 (SAS)

Plaintiff,

٧.

AIRFIELD GRAPHICS, INC., VINCENT SGAMBELLURI and 1-800 POSTCARDS, INC.,

529 29 2003

Defendants.

AGREED ORDER FOR DISMISSAL WITHOUT PREJUDICE

WHEREAS, Plaintiff U.S. BANCORP EQUIPMENT FINANCE, INC. ("USB"), an Oregon business corporation having an address of 13010 SW 68th Parkway, Portland, Oregon 97223, Defendant AIRFIELD GRAPHICS, INC., a New Jersey business corporation having an address of 40 Milden Avenue, Staten Island, New York, 10301, VINCENT SGAMBELLURI ("Sgambelluri"), having an address of 40 Milden Avenue, Staten Island, New York, 10301, and 1-800 POST CARDS, INC. ("1-800" and together with Sgambelluri, collectively, the "Defendants" and together with USB, collectively, the "Parties"), a New York business corporation having an address of 121 Varick Street, New York, New York, 10013, have informed this Court that they have entered into a written settlement agreement (the "Settlement Agreement") in order to resolve this Action and which requires the Defendants to make certain periodic payments to USB through and including October 1, 2010;

WHEREAS, the Defendants have executed a Stipulation to Judgment to be entered in accordance with the terms of the Settlement Agreement if the Defendants breach the terms of Settlement Agreement;

WHEREAS, the Parties have agreed that in the event that the Defendants breach the Settlement Agreement and fail to cure said breach in accordance with the terms of the Settlement Agreement, USB may move the Court to re-open the Action and to enter a judgment in accordance with the terms of the Stipulation to Judgment;

NOW, THEREFORE, IT IS HEREBY ORDERED:-

1. This Action is hereby dismissed without prejudice and without costs as against the Parties.

2. The Court shall retain jurisdiction over this Action in order to enforce the terms of Settlement Agreement.

Dated: 9/29/09

HON.

UNITED STATES DISTRICT COURT JUDGE